

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK AUMANN,

Plaintiff,

Civil Action No. 13-CV-10304

vs.

HON. BERNARD A. FRIEDMAN

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

_____ /

**ORDER ACCEPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

and

ORDER OF REMAND

This matter is presently before the Court on plaintiff's motion for remand [docket entry 10] and defendant's motion for summary judgment [docket entry 18]. Magistrate Judge Mona K. Majzoub has submitted a Report and Recommendation ("R&R") in which she recommends that plaintiff's motion be granted and that defendant's motion be denied. Neither party has objected to the R&R, and the objection period has expired.

The Court has reviewed the file, the parties' motions, and the R&R, and agrees with the magistrate judge that the case must be remanded. However, in addition to resolving the issues identified by the magistrate judge, on remand the Administrative Law Judge must also make specific findings about the side effects of plaintiff's medications,¹ and about the extent of plaintiff's need to

¹ The magistrate judge notes that plaintiff "takes cyclobenzaprine, indomethacin, tramadol, and baclofen. The medications make him drowsy and cause dizzy spells." R&R at 1. Three of these medications have potential side effects which could be vocationally limiting,

lie down, and include these findings in proper hypothetical questions to the vocational expert. Accordingly,

IT IS ORDERED that Magistrate Judge Majzoub's R&R is hereby accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that defendant's motion for summary judgment is denied.

IT IS FURTHER ORDERED that plaintiff's motion for remand is granted, and that this matter is remanded for further proceedings to resolve the issues identified in the magistrate judge's R&R and the additional issues identified in this order.

S/ Bernard A. Friedman_____
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE

Dated: January 27, 2014
Detroit, Michigan

including dizziness (cyclobenzaprine and baclofen), drowsiness (cyclobenzaprine, tramadol and baclofen), and confusion and trouble concentrating (tramadol and baclofen). *See* www.drugs.com